IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.416 OF 2002

IN

SUIT NO.3778 OF 2000

Daroomal J.Rupani .Plaintiff

versus

Chetankumar V.Sanghavi & ors . Defendants

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Mr.V.A.Thorat, Mr.Bharat Vaishnava for Plffs

Mr.Sanjay Jain with Mr.Ramesh Jain for Defendant nos. 1 and 2.

Mr.K.N.Gaikwad for Defendant no.3 BMC

CORAM : D.G. KARNIK, J

DATED : 1st April, 2005.

P.C:-

1. Heard learned counsel for the plaintiff and defenddant nos. 1 to 3. Learned counsel for the defendant nos. 1 and 2 states that the defendants has no intention of transferring 7/100 alleged share of the plaintiff in the suit property. The defendant nos. 1 and 2 undertake that they would not transfer

7/100 share of the plaintiff or any part thereof to any third person. However, this does not prevent the defendant nos. 1 and 2 and selling or transferring their 36/100 share in the suit property. Statement of the defendant nos. 1 and 2 is recorded and accepted. In view of this, no further orders are necessary in this motion. Motion is disposed of. Liberty to take out a fresh motion in respect of prayer clause (d) in view of the mistake in the map.

D.G.KARNIK, J